

PART III

ADOPTION OF CONFERENCE REPORT

On January 19, 1903, the Chair laid before the Senate the amendment, in the nature of a substitute, of the House of Representatives, for Senate bill 569:

The PRESIDENT *pro tempore*. The Chair lays before the Senate the amendment, in the nature of a substitute, of the House of Representatives to the bill (S. 569) to establish a Department of Commerce and Labor.

Mr. NELSON. I move that the Senate disagree to the amendment of the House of Representatives and ask for a committee of conference with the House, the Chair to appoint the conferees.

Mr. SPOONER. I hope the Senator will allow the amendment to be printed. We may want to amend the amendment of the House of Representatives.

Mr. NELSON. I ask that the bill may be printed as it has been amended by the House of Representatives.

The PRESIDENT *pro tempore*. And no further action taken to-day?

Mr. SPOONER. I hope the Senator will not ask for the appointment of a committee of conference to-day. The Senate may want to amend the House amendment.

Mr. CULLOM. Let it go over.

Mr. NELSON. I think the usual course in such cases is to appoint a committee of conference.

Mr. ALDRICH. The amendment of the House of Representatives is a very short one, I suppose, and I suggest that it be read, and then it will appear in the Record.

Mr. NELSON. The amendment is in the form of a substitute for the Senate bill.

Mr. ALDRICH. Will it take long to read the House substitute?

Mr. NELSON. Yes; it will take quite a while.

Mr. ALDRICH. Then I withdraw the request.

Mr. SPOONER. Do I understand the Senator from Minnesota to ask for action on this matter to-day?

Mr. NELSON. Not at all. I simply moved to disagree to the amendment of the House of Representatives and ask for a committee of conference. I do not intend to bring the matter up this morning.

Mr. BAILEY. Mr. President, I desire to ask a question in regard to a parliamentary matter. If that motion should be agreed to, would the amendment of the House of Representatives be open to amendment afterwards if the conference committee report it?

Mr. ALDRICH. It would be after the report of the conference committee, if—

Mr. BAILEY. The report of a conference committee must be adopted or rejected as a whole, as I understand.

Mr. ALDRICH. That is, if they come to a final agreement.

Mr. BAILEY. Yes.

Mr. ALDRICH. If they come to a partial agreement on the matters in dispute, it would still be amendable. Of course, either House can agree to an amendment of the other House with an amendment, or as long as the matter is open between the conferees, then it is open between the Houses. When it is closed by the conferees, then either House, both Houses, indeed, must accept it as a whole or reject it as a whole.

Mr. HALE. Undoubtedly.

Mr. BAILEY. And it looks to me like it is rather a dangerous proposition for the Senate to put it in a position where we must reject it all or accept it all.

Mr. HALE. I hope the Senator from Minnesota will not now ask the Senate to send this matter to a committee of conference. It is a very important bill, and very important amendments have been made by the House. Before it goes to a committee of conference, with the tremendous power that such a committee has, the Senate

ought to be able to see it, and if any Senator desires it he should be given an opportunity to vote upon concurring in certain House amendments. Otherwise the whole scope and power of dealing with this important subject is left to the conference committee, and when it reports we are substantially helpless here. As the Senator from Texas has said, if the committee agrees in conference we can only accept or reject the report. Senators know how difficult it is on a conference report to make any change whatever. It is not in the interest of delay, nor of anything unfair, to ask the Senator to let this matter stand over.

I think the bill, with the House amendments, had better be printed, so that Senators can see what is in it, and then, if any Senator desires to move to concur, it can be done. After that, after it has passed through that proper crucible, then, of course, it will go to the conference committee.

I ask that the bill go over and be printed with the House amendments, in order that the Senate may see it.

Mr. ALDRICH. Have it printed in the Record.

Mr. HALE. Let it be printed in the Record. That is better still.

Mr. COCKRELL. And also as a bill, so that we may have it before us.

Mr. HALE. I ask that it be printed in the Record, and also as a bill.

The PRESIDENT pro tempore. The Senator from Maine asks that the bill may lie on the table—

Mr. HALE. Yes.

The PRESIDENT pro tempore. That it lie on the table and be printed as a bill, and also in the Record.

Mr. HALE. With the House amendments.

The PRESIDENT pro tempore. With the House amendments. Is there objection to the request? The Chair hears none, and that order is made.

Mr. ALLISON. Before this question passes away I wish to state that I understand that the House has passed a substitute for the Senate bill. Therefore everything that is in either bill or that is projected in either bill will be within the control of the conferees on the part of the two Houses, substantially giving them the power to make a new bill. So I think it very well for us to ascertain what the differences are, and if in some way we can have the bill printed, so that we can see at a glance what the House have agreed to that was in the original bill and what they propose to substitute for the text in other places, I think it would be advantageous. I do not know that it can be done.

Mr. HALE. I fancy the clerks, in their aptitude in all such matters, can present to us to-morrow morning in print what will show the original Senate bill and the changes proposed by the House, so that at a glance every Senator will be informed as to the situation.

The PRESIDENT pro tempore. The Chair is informed that there is great demand for this bill, and suggests to the Senator from Maine, if he will allow the Chair to do so, that he ask for the printing of an additional number.

Mr. HALE. I think that is a very good suggestion. We had better have 500 additional copies.

The PRESIDENT pro tempore. Five hundred?

Mr. ALLISON. A thousand.

Mr. HALE. A thousand.

The PRESIDENT pro tempore. The Senator from Maine asks that a thousand additional copies of the bill be printed. Is there objection? The Chair hears none, and it is so ordered.

Mr. NELSON. On account of the opposition to the bill going into conference, I think it had better be referred to the Committee on Commerce; and I move that it be referred to the Committee on Commerce, with the amendments.

Mr. HALE. There is no objection to that course, Mr. President.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Minnesota that the bill be referred to the Committee on Commerce.

Mr. COCKRELL. And be printed, as a matter of course.

The PRESIDENT pro tempore. That order has already been made. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to.

The bill as passed by the Senate and the substitute therefor proposed by the House of Representatives are as follows:

An act (S. 569) to establish the Department of Commerce and Labor.

Be it enacted, etc., That there shall be at the seat of government an executive department to be known as the Department of Commerce and Labor, and a Secretary of Commerce and Labor, who shall be the head thereof, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall receive a salary of \$8,000 per annum, and whose term and tenure of office shall be like that of the heads of the other Executive Departments; and section 158 of the

Revised Statutes is hereby amended to include such Department, and the provisions of title 4 of the Revised Statutes including all amendments thereto, are hereby made applicable to said Department.

SEC. 2. That there shall be in said Department an Assistant Secretary of Commerce and Labor, to be appointed by the President by and with the advice and consent of the Senate, who shall receive a salary of \$4,000 a year. He shall perform such duties as shall be prescribed by the Secretary or required by law. There shall also be one chief clerk and a disbursing clerk and such other clerical assistants as may from time to time be authorized by Congress; and the Auditor for the State and other Departments shall receive all accounts accruing in or relative to the Department of Commerce and Labor and examine the same, and thereafter certify the balance and transmit the accounts with the vouchers and certificate, to the Comptroller of the Treasury for his decision thereon.

SEC. 3. That it shall be the province and duty of said Department to foster, promote, and develop the foreign and domestic commerce, the mining, manufacturing, shipping, and fishery industries, the labor interests, and the transportation facilities of the United States; and to this end it shall be vested with jurisdiction and control of the departments, bureaus, offices, and branches of the public service hereinafter specified, and with such other powers and duties as may be prescribed by law.

SEC. 4. That the following-named offices, bureaus, divisions, and branches of the public service, now and heretofore under the jurisdiction of the Department of the Treasury, and all that pertains to the same, known as the Life-Saving Service, the Light-House Board and the Light-House Service, the Marine-Hospital Service, the Steamboat-Inspection Service, the Bureau of Navigation and the United States Shipping Commissioners, the Bureau of Immigration, and the Bureau of Statistics, be, and the same hereby are, transferred from the Department of the Treasury to the Department of Commerce and Labor, and the same shall hereafter remain under the jurisdiction and supervision of the last-named Department; and that the Census Office, and all that pertains to the same, be, and the same hereby are, transferred from the Department of the Interior to the Department of Commerce and Labor, to remain henceforth under the jurisdiction of the latter; that the Department of Labor and the office of Commissioner of Fish and Fisheries, and all that pertains to the same, be, and the same hereby are, placed under the jurisdiction and made a part of the Department of Commerce and Labor; that the Bureau of Foreign Commerce, now in the Department of State, be, and the same hereby is, transferred to the Department of Commerce and Labor and consolidated with and made a part of the Bureau of Statistics, heretofore transferred from the Department of the Treasury to the Department of Commerce and Labor, and the two shall constitute one bureau to be called the Bureau of Statistics with a chief of the Bureau and one assistant; and that the Secretary of Commerce and Labor shall have complete control of the work of gathering and distributing statistical information naturally relating to the subjects confided to his Department; and to this end said Secretary shall have power to employ any or either of the said bureaus and to rearrange such statistical work and to distribute or consolidate the same as may be deemed desirable in the public interest; and said Secretary shall also have authority to call upon other Departments of the Government for statistical data and results obtained by them; and said Secretary of Commerce and Labor may collate, arrange, and publish such statistical information so obtained in such manner as to him may seem wise.

That the official records and papers now on file in and pertaining exclusively to the business of any bureau, office, department, or branch of the public service in this act transferred to the Department of Commerce and Labor, together with the furniture now in use in such bureau, office, department, or branch of the public service, shall be, and hereby are, transferred to the Department of Commerce and Labor.

SEC. 5. That there shall be in the Department of Commerce and Labor a bureau to be called the Bureau of Manufactures, and a chief of said bureau, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive a salary of \$3,000 per annum. There shall also be in said Bureau one chief clerk and such other clerical assistants as may from time to time be authorized by Congress. It shall be the province and duty of said Bureau, under the direction of the Secretary, to foster, promote, and develop the various manufacturing industries of the United States, and markets for the same at home and abroad, domestic and foreign, by gathering, compiling, publishing, and supplying all available and useful information concerning such industries and such markets, and by such other methods and means as may be prescribed by the Secretary or provided by law. And all consular officers of the United States, including consul-generals, consuls, and commercial agents, are hereby required, and it is made a part of their duty, under the direction of the Secretary of State, to gather and compile, from time to time, useful and material information and statistics in respect to the commerce, industries, and markets of the countries and places to which such consular officers are accredited, and to send, under the direction of the Secretary of State, reports quarterly, or oftener if required, of the information and statistics thus gathered and compiled, such reports to be transmitted through the State Department to the Secretary of the Department of Commerce and Labor.

SEC. 6. That the jurisdiction, supervision, and control now possessed and exercised by the Department of the Treasury over Chinese immigration, and over the fur-seal, salmon, and other fisheries in Alaska, be, and the same hereby is, transferred to and vested in the Department of Commerce and Labor.

SEC. 7. That the Secretary of Commerce and Labor shall annually, at the close of each fiscal year, make a report in writing to Congress, giving an account of all moneys received and disbursed by him and his Department, and describing the work done by the Department in fostering, promoting, and developing the foreign and domestic commerce, the mining, manufacturing, shipping, and fishery industries, and the transportation facilities of the United States, and making such recommendations as he shall deem necessary for the effective performance of the duties and purposes of the Department. He shall also, from time to time, make such special investigations and reports as he may be required to do by the President, or by either House of Congress, or which he, himself, may deem necessary and urgent.

SEC. 8. That the Secretary of Commerce and Labor shall have charge, in the buildings or premises occupied by or appropriated to the Department of Commerce and Labor, of the library, furniture, fixtures, records, and other property pertaining to it, or hereafter acquired for use in its business; and he shall be allowed to expend for periodicals and the purposes of the library, and for the rental of appropriate quarters for the accommodation of the Department of Commerce and Labor within the District of Columbia, and for all other incidental expenses, such sums as Congress may provide from time to time: *Provided, however*, That where any office, bureau, or branch of the public service transferred to the Department of Commerce and Labor by this act is occupying rented buildings or premises, it may still continue to do so until other suitable quarters are provided for its use: *And provided further*, That all officers, clerks, and employees now employed in any of the bureaus, offices, departments, or branches of the public service in this act transferred to the Department of Commerce and Labor are each and all hereby transferred to said Department at their present grades and salaries, except where otherwise provided in this act: *And provided further*, That all laws prescribing the work and defining the duties of the several bureaus, offices, departments, or branches of the public service by this act transferred to and made a part of the Department of Commerce and Labor shall, so far as the same are not in conflict with the provisions of this act, remain in full force and effect until otherwise provided by law.

SEC. 9. That all power and authority heretofore possessed or exercised by the head of any executive department over any bureau, office, branch, or division of the public service by this act transferred to the Department of Commerce and Labor, or any business arising therefrom or pertaining thereto, whether of an appellate or revisory character, or otherwise, shall hereafter be vested in and exercised by the head of the said Department of Commerce and Labor. And all acts or parts of acts inconsistent with this act are, so far as so inconsistent, hereby repealed.

SEC. 10. A person, to be designated by the Secretary of State, shall be appointed to formulate, under his direction, for the instruction of consular officers, the requests of the Secretary of Commerce and Labor, and to prepare from the dispatches of consular officers, for transmission to the Secretary of Commerce and Labor, such information as pertains to the work of the Department of Commerce and Labor, and such person shall have the rank and salary of a chief of bureau, and be furnished with such clerical assistance as may be deemed necessary by the Secretary of State.

SEC. 11. This act shall take effect and be in force from and after its passage.

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
January 15, 1905.

Resolved, That the bill from the Senate (S. 569) entitled "An act to establish the Department of Commerce and Labor" do pass with the following amendment:

Strike out all after the enacting clause and insert:

"That there shall be at the seat of government an executive department to be known as the Department of Commerce and Labor, and a Secretary of Commerce and Labor, who shall be the head thereof, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall receive a salary of \$8,000 per annum, and whose term and tenure of office shall be like that of the heads of the other Executive Departments; and section 158 of the Revised Statutes is hereby amended to include such Department, and the provisions of title 4 of the Revised Statutes, including all amendments thereto, are hereby made applicable to said Department. The said Secretary shall cause a seal of office to be made for the said Department of such device as the President shall approve, and judicial notice shall be taken of the said seal.

"SEC. 2. That there shall be in said Department an Assistant Secretary of Commerce and Labor, to be appointed by the President, who shall receive a salary of \$5,000 a year. He shall perform such duties as shall be prescribed by the Secretary or required by law. There shall also be one chief clerk and a disbursing clerk and such other clerical assistants as may from time to time be authorized by Congress; and the Auditor for the State and other Departments shall receive all accounts accruing in or relative to the Department of Commerce and Labor and examine the same, and certify the balances arising thereon to the Secretary of the Treasury in the same manner as the balances on similar accounts are certified under existing law.

"SEC. 3. That it shall be the province and duty of said Department to foster, promote, and develop the foreign and domestic commerce, the mining, manufacturing, shipping, and fishery industries, the labor interests, and the transportation facilities of the United States; and to this end it shall be vested with jurisdiction and control of the departments, bureaus, offices, and branches of the public service hereinafter specified, and with such other powers and duties as may be prescribed by law. All unexpended appropriations, which shall be available at the time when this act takes effect, in relation to the various offices, bureaus, divisions, and other branches of the public service, which shall, by this act, be transferred to or included in the Department of Commerce and Labor, or which may hereafter, in accordance with the provisions of this act, be so transferred, shall become available, from the time of such transfer, for expenditure in and by the Department of Commerce and Labor, and shall be treated the same as though said branches of the public service had been directly named in the laws making said appropriations as parts of the Department of Commerce and Labor, under the direction of the Secretary of said Department.

"SEC. 4. That the following-named offices, bureaus, divisions, and branches of the public service, now and heretofore under the jurisdiction of the Department of the Treasury, and all that pertains to the same, known as the Light-House Board, the Light-House Establishment, the National Bureau of Standards, the Coast and Geodetic Survey, the Commissioner-General of Immigration, the Commissioners of Immigration, the Bureau of Immigration, the immigration service at large, and the Bureau of Statistics, be, and the same hereby are, transferred from the Department of the Treasury to the Department of Commerce and Labor, and the same shall hereafter remain under the jurisdiction and supervision of the last-named Department; and that the Census Office, and all that pertains to the same, be, and the same hereby is, transferred from the Department of the Interior to the Department of Commerce and Labor, to remain henceforth under the jurisdiction of the latter; that the Department of Labor, the Fish Commissioner, and the Office of Commissioner of Fish and Fisheries, and all that pertains to the same, be, and the same hereby are, placed under the jurisdiction and made a part of the Department of Commerce and Labor; that the Bureau of Foreign Commerce, now in the Department of State, be, and the same hereby is, transferred to the Department of Commerce and Labor and consolidated with and made a part of the Bureau of Statistics, hereinbefore transferred from the Department of the Treasury to the Department of Commerce and Labor, and the two shall constitute one bureau, to be called the Bureau of Statistics, with a chief of the Bureau; and that the Secretary of Commerce and Labor shall have control of the work of gathering and distributing statistical information naturally relating to the subjects confided to his Department; and the Secretary of Commerce and Labor is hereby given the power and authority to rearrange the statistical work of the bureaus and offices confided to said Department, and to consolidate any of the statistical bureaus and offices transferred to said Department; and said Secretary shall also have authority to call upon other departments of the Government for statistical data and results obtained by them; and said Secretary of Commerce and Labor may collate, arrange, and publish such statistical information so obtained in such manner as to him may seem wise.

"That the official records and papers now on file in and pertaining exclusively to the business of any bureau, office, department, or branch of the public service in this act transferred to the Department of Commerce and Labor, together with the furniture now in use in such bureau, office, department, or branch of the public service, shall be, and hereby are, transferred to the Department of Commerce and Labor.

"SEC. 5. That there shall be in the Department of Commerce and Labor a bureau to be called the Bureau of Manufactures, and a chief of said Bureau, who shall be appointed by the President, and who shall receive a salary of \$4,000 per annum. There shall also be in said Bureau such clerical assistants as may from time to time be authorized by Congress. It shall be the province and duty of said Bureau, under the direction of the Secretary, to foster, promote, and develop the various manufacturing industries of the United States, and markets for the same at home and abroad, domestic and foreign, by gathering, compiling, publishing, and supplying all available and useful information concerning such industries and such markets, and by such other methods and means as may be prescribed by the Secretary or provided by law. And all consular officers of the United States, including consuls-

general, consuls, and commercial agents, are hereby required, and it is made a part of their duty, under the direction of the Secretary of State, to gather and compile, from time to time, useful and material information and statistics in respect to the subjects enumerated in section 3 of this act in the countries and places to which such consular officers are accredited, and to send, under the direction of the Secretary of State, reports as often as required of the information and statistics thus gathered and compiled, such reports to be transmitted through the State Department to the Secretary of the Department of Commerce and Labor.

"Sec. 6. That there shall be in the Department of Commerce and Labor a bureau to be called the Bureau of Corporations, and the chief of said Bureau shall be appointed by the President and shall receive a salary of \$4,000 per annum. There shall also be in said Bureau such clerks and assistants as may from time to time be authorized by law. It shall be the province and duty of said Bureau, under the direction of the Secretary of Commerce and Labor, to gather, compile, publish, and supply useful information concerning such corporations doing business within the limits of the United States as shall engage in interstate commerce or in commerce between the United States and any foreign country, and to attend to such other duties as may be hereafter provided by law.

"Sec. 7. That the jurisdiction, supervision, and control now possessed and exercised by the Department of the Treasury over the fur-seal, salmon, and other fisheries of Alaska and over the immigration of aliens into the United States, its waters, territories, and any place subject to the jurisdiction thereof, are hereby transferred and vested in the Department of Commerce and Labor. That the authority, power, and jurisdiction now possessed and exercised by the Secretary of the Treasury by virtue of any law in relation to the exclusion from and the residence within the United States, its Territories, and the District of Columbia, of Chinese and persons of Chinese descent, are hereby transferred to and conferred upon the Secretary of Commerce and Labor, and the authority, power, and jurisdiction in relation thereto now vested by law or treaty in the collectors of customs and the collectors of internal revenue are hereby conferred upon and vested in such officers under the control of the Commissioner-General of Immigration as the Secretary of Commerce and Labor may designate therefor.

"Sec. 8. That the Secretary of Commerce and Labor shall annually, at the close of each fiscal year, make a report in writing to Congress, giving an account of all moneys received and disbursed by him and his Department, and describing the work done by the Department in fostering, promoting, and developing the foreign and domestic commerce, the mining, manufacturing, shipping, and fishery industries, and the transportation facilities of the United States, and making such recommendations as he shall deem necessary for the effective performance of the duties and purposes of the Department. He shall also from time to time make such special investigations and reports as he may be required to do by the President, or by either House of Congress, or which he himself may deem necessary and urgent.

"Sec. 9. That the Secretary of Commerce and Labor shall have charge, in the buildings or premises occupied by or appropriated to the Department of Commerce and Labor, of the library, furniture, fixtures, records, and other property pertaining to it or hereafter acquired for use in its business; and he shall be allowed to expend for periodicals and the purposes of the library, and for the rental of appropriate quarters for the accommodation of the Department of Commerce and Labor within the District of Columbia, and for all other incidental expenses, such sums as Congress may provide from time to time: *Provided, however*, That where any office, bureau, or branch of the public service transferred to the Department of Commerce and Labor by this act is occupying rented buildings or premises, it may still continue to do so until other suitable quarters are provided for its use: *And provided further*, That all officers, clerks, and employees now employed in any of the bureaus, offices, departments, or branches of the public service in this act transferred to the Department of Commerce and Labor are each and all hereby transferred to said Department at their present grades and salaries, except where otherwise provided in this act: *And provided further*, That all laws prescribing the work and defining the duties of the several bureaus, offices, departments, or branches of the public service by this act transferred to and made a part of the Department of Commerce and Labor shall, so far as the same are not in conflict with the provisions of this act, remain in full force and effect until otherwise provided by law.

"Sec. 10. That all power and authority heretofore possessed or exercised by the head of any executive department over any bureau, office, branch, or division of the public service by this act transferred to the Department of Commerce and Labor, or any business arising therefrom or pertaining thereto, whether of an appellate or revisory character or otherwise, shall hereafter be vested in and exercised by the head of the said Department of Commerce and Labor. And all acts or parts of acts inconsistent with this act are, so far as so inconsistent, hereby repealed.

"Sec. 11. A person, to be designated by the Secretary of State, shall be appointed to formulate, under his direction, for the instruction of consular officers the requests of the Secretary of Commerce and Labor; and to prepare from the dispatches of consular officers, for transmission to the Secretary of Commerce and Labor, such information as pertains to the work of the Department of Commerce and Labor; and such person shall have the rank and salary of a chief of bureau, and be furnished with such clerical assistants as may from time to time be authorized by law.

"Sec. 12. That the President be, and he is hereby, authorized, by order in writing, to transfer at any time the whole or any part of any office, bureau, division, or other branch of the public service engaged in statistical or scientific work, or the Interstate Commerce Commission, to the Department of Commerce and Labor; and in every such case the duties and authority performed by and conferred by law upon such office, bureau, division, or other branch of the public service, or the part thereof so transferred, shall be thereby transferred with such office, bureau, division, or other branch of the public service, or the part thereof which is so transferred. And all power and authority conferred by law, both supervisory and appellate, upon the department from which such transfer is made, or the secretary thereof, in relation to the said office, bureau, division, or other branch of the public service, or the part thereof so transferred, shall immediately, when such transfer is so ordered by the President, be fully conferred upon and vested in the Department of Commerce and Labor, or the Secretary thereof, as the case may be, as to the whole or part of such office, bureau, division, or other branch of the public service so transferred.

"Sec. 13. That this act shall take effect and be in force from and after its passage: *Provided, however*, That the provisions in this act in relation to the transfer of any existing office, bureau, division, officer, or other branch of the public service or authority now conferred thereon, to the Department of Commerce and Labor shall take effect and be in force on the 1st day of July, 1903, and not before."

SENATE CONFEREES APPOINTED JANUARY 29, 1903.

Mr. HANNA. I am instructed by the Committee on Commerce, to whom were referred the bill (S. 569) to establish the Department of Commerce and Labor and the amendment of the House of Representatives thereto, to recommend a disagree-

ment to the House amendment and ask for a conference on the disagreeing votes of the two Houses.

The PRESIDENT pro tempore. The Senator from Ohio moves that the Senate disagree to the amendment of the House of Representatives and requests a conference.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. Hanna, Mr. Nelson, and Mr. Clay were appointed.

HOUSE CONFEREES APPOINTED JANUARY 29, 1903

The SPEAKER pro tempore laid before the House the bill (S. 569) to establish the Department of Commerce and Labor, with House amendment disagreed to by the Senate.

Mr. HEPBURN. Mr. Speaker, I move that the House insist upon its amendment and agree to the conference asked by the Senate.

The SPEAKER pro tempore. The gentleman from Iowa moves that the House insist upon its amendment and agree to the conference asked by the Senate.

The motion was agreed to.

The SPEAKER pro tempore announced the appointment of the following conferees: Mr. Hepburn, Mr. Mann, and Mr. Richardson, of Alabama.

CONFERENCE REPORT TO HOUSE FEBRUARY 9, 1903

Mr. HEPBURN. Mr. Speaker, I desire to present a conference report, together with the statement of the conferees, on the bill (S. 569) to establish a Department of Commerce and Labor, and ask that the same be printed in the Record, in accordance with the rules.

The SPEAKER pro tempore. The gentleman from Iowa submits the conference report, together with a statement of the conferees, which will be printed in the Record, in accordance with the rules.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 569) "to establish the Department of Commerce and Labor," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with amendments as follows: Page 2, line 5 of the amendment, strike out all after the word "Congress" to the end of section 2 and insert in lieu thereof the following: "and the Auditor for the State and other departments shall receive and examine all accounts of salaries and incidental expenses of the office of the Secretary of Commerce and Labor, and of all bureaus and offices under his direction, all accounts relating to the Light-House Board, Steamboat-Inspection Service, Immigration, Navigation, Alaskan fur-seal fisheries, the National Bureau of Standards, Coast and Geodetic Survey, Census, Department of Labor, Fish Commission, and to all other business within the jurisdiction of the Department of Commerce and Labor, and certify the balances arising thereon to the division of bookkeeping and warrants and send forthwith a copy of each certificate to the Secretary of Commerce and Labor."

Page 3, line 15 of the amendment, insert, after the word "Establishment," the following: "the Steamboat-Inspection Service, the Bureau of Navigation, the United States Shipping Commissioners."

Page 4, line 3 of the amendment, strike out the word "Commissioner" and insert in lieu the word "Commission."

Strike out all of section 6 and insert in lieu the following:

"SEC. 6. That there shall be in the Department of Commerce and Labor a bureau to be called the Bureau of Corporations, and a Commissioner of Corporations who shall be the head of said Bureau, to be appointed by the President, who shall receive a salary of \$5,000 per annum. There shall also be in said Bureau a Deputy Commissioner, who shall receive a salary of \$3,500 per annum and who shall in the absence of the Commissioner act as and perform the duties of the Commissioner of Corporations, and who shall also perform such other duties as may be assigned to him by the Secretary of Commerce and Labor or by the said Commissioner. There shall also be in the said Bureau a chief clerk and such special agents, clerks, and other employees, as may be authorized by law.

"The said Commissioner shall have power and authority to make, under the direction and control of the Secretary of Commerce and Labor, diligent investigation into the organization, conduct, and management of the business of any corporation, joint-stock company, or corporate combination engaged in commerce among the several States and with foreign nations, excepting common carriers subject to 'an act to regulate commerce,' approved February 4, 1887, and to gather such information and data as will enable the President of the United States to make recommendations to Congress for legislation for the regulation of such commerce, and to report such data to the President from time to time as he shall require; and the information so obtained, or as much thereof as the President may direct shall be made public.

"In order to accomplish the purposes declared in the foregoing part of this section, the said Commissioner shall have and exercise the same power and authority in respect to corporations, joint-stock companies, and combinations subject to the provisions hereof as is conferred on the Interstate Commerce Commission in said 'act to regulate commerce' and the amendments thereto in respect to common carriers so far as the same may be applicable, including the right to subpoena and compel the attendance and testimony of witnesses and the production of documentary evidence and to administer oaths. All the requirements, obligations, liabilities, and immunities imposed or conferred by said 'act to regulate commerce' and by 'an act in relation to testimony before the Interstate Commerce Commission,' etc., approved February 11, 1893, supplemental to said 'act to regulate commerce,' shall also apply to all persons who may be subpoenaed to testify as witnesses or to produce documentary evidence in pursuance of the authority conferred by this section.

"It shall also be the province and duty of said Bureau, under the direction of the Secretary of

Commerce and Labor, to gather, compile, publish, and supply useful information concerning corporations doing business within the limits of the United States as shall engage in interstate commerce or in commerce between the United States and any foreign country, including corporations engaged in insurance, and to attend to such other duties as may be hereafter provided by law."

Page 6, line 8, of the amendment, after the word "required," insert the words "by the Secretary of Commerce and Labor."

Page 7, line 7, of the amendment, after the word "labor," insert the following: "Provided, That nothing contained in this act shall be construed to alter the method of collecting and accounting for the head tax prescribed by section 1 of the act entitled 'An act to regulate immigration,' approved August 3, 1882."

Page 8, line 25, of the amendment, after the word "in," insert the words "or by."

In lieu of section 10 of the amendment insert the following:

"Sec. 10. That all duties performed and all power and authority now possessed or exercised by the head of any executive department in and over any bureau, office, officer, board, branch, or division of the public service by this act transferred to the Department of Commerce and Labor, or any business arising therefrom or pertaining thereto, or in relation to the duties performed by and authority conferred by law upon such bureau, officer, office, board, branch, or division of the public service, whether of an appellate or revisory character or otherwise, shall hereafter be vested in and exercised by the head of the said Department of Commerce and Labor."

"All duties, power, authority, and jurisdiction, whether supervisory, appellate, or otherwise, now imposed or conferred upon the Secretary of the Treasury by acts of Congress relating to merchant vessels or yachts, their measurement, numbers, names, registers, enrollments, licenses, commissions, records, mortgages, bills of sale, transfers, entry, clearance, movements, and transportation of their cargoes and passengers, owners, officers, seamen, passengers, fees, inspection, equipment for the better security of life, and by acts of Congress relating to tonnage tax, boilers on steam vessels, the carrying of inflammable, explosive, or dangerous cargo on vessels, the use of petroleum or other similar substances to produce motive power, and relating to the remission or refund of fines, penalties, forfeitures, exactions or charges incurred for violating any provision of law relating to vessels or seamen or to informer's shares of such fines, and by acts of Congress relating to the Commissioner and Bureau of Navigation, shipping commissioners, their officers and employees, Steamboat-Inspection Service and any of the officials thereof, shall be, and hereby are, transferred to and imposed and conferred upon the Secretary of Commerce and Labor from and after the time of the transfer of the Bureau of Navigation, the shipping commissioners, and the Steamboat-Inspection Service to the Department of Commerce and Labor, and shall not thereafter be imposed upon or exercised by the Secretary of the Treasury. And all acts or parts of acts inconsistent with this act are, so far as inconsistent, hereby repealed."

Page 10, line 12 of the amendment, strike out the words "or the Interstate Commerce Commission," and insert the following: "from the Department of State, the Department of the Treasury, the Department of War, the Department of Justice, the Post-Office Department, the Department of the Navy, or the Department of the Interior."

"Page 11, line 6 of the amendment, after the word "act," insert the words "other than those of section 12."

And the House agree to the same.

W. P. HEPBURN,

JAMES R. MANN,

WILLIAM RICHARDSON,

Managers on the part of the House.

M. A. HANNA,

KNUTE NELSON,

A. S. CLAY,

Managers on the part of the Senate.

The statement of the House conferees is as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 569) to establish the Department of Commerce and Labor, submit the following written statement in explanation of the effect of the action recommended in the accompanying conference report.

The substitute amendment of the House is agreed to with various amendments.

The first of these amendments is to strike out the provision in the House substitute in reference to the auditing of accounts and to insert in lieu thereof the following:

"The Auditor for the State and other departments shall receive and examine all accounts of salaries and incidental expenses of the office of the Secretary of Commerce and Labor, and of all bureaus and offices under his direction, all accounts relating to the Light-House Board, Steamboat-Inspection Service, Immigration, Navigation, Alaskan fur-seal fisheries, the National Bureau of Standards, Coast and Geodetic Survey, Census, Department of Labor, Fish Commission, and to all other business within the jurisdiction of the Department of Commerce and Labor, and certify the balances arising thereon to the division of bookkeeping and warrants, and send forthwith a copy of each certificate to the Secretary of Commerce and Labor."

This language more nearly conforms with the present law upon the subject of auditing accounts.

The second amendment to the House substitute provides for the transfer from the Treasury Department to the Department of Commerce and Labor of the Steamboat-Inspection Service, the Bureau of Navigation, and the United States shipping commissioners.

The third amendment agreed to is to insert the word "Commission," instead of the word "Commissioner," in the description "Fish Commission," the Commissioner of Fish and Fisheries being already included.

The fourth amendment agreed to inserts, after the word "required," in section 5, the words "by the Secretary of Commerce and Labor," so as to provide that consular officers shall send reports, under the direction of the Secretary of State, as often as required by the Secretary of Commerce and Labor.

The fifth amendment agreed to is to strike out all of section 6 of the House substitute and to insert in lieu thereof the following:

"Sec. 6. That there shall be in the Department of Commerce and Labor a bureau to be called the Bureau of Corporations, and a Commissioner of Corporations who shall be the head of said Bureau, to be appointed by the President, who shall receive a salary of \$5,000 per annum. There shall also be in said Bureau a Deputy Commissioner, who shall receive a salary of \$3,500 per annum, and who shall, in the absence of the Commissioner, act as and perform the duties of the Commissioner of Corporations, and who shall also perform such other duties as may be assigned to him by the Secretary of Commerce and Labor or by the said Commissioner. There shall also be in the said Bureau a chief clerk and such special agents, clerks, and other employees as may be authorized by law."

"The said Commissioner shall have power and authority to make, under the direction and control of the Secretary of Commerce and Labor, diligent investigation into the organization, conduct, and

management of the business of any corporation, joint stock company, or corporate combination engaged in commerce among the several States and with foreign nations excepting common carriers subject to 'An act to regulate commerce,' approved February 4, 1887, and to gather such information and data as will enable the President of the United States to make recommendations to Congress for legislation for the regulation of such commerce, and to report such data to the President from time to time as he shall require; and the information so obtained, or as much thereof as the President may direct, shall be made public.

"In order to accomplish the purposes declared in the foregoing part of this section, the said Commissioner shall have and exercise the same power and authority in respect to corporations, joint-stock companies, and combinations subject to the provisions hereof as is conferred on the Interstate Commerce Commission in said 'act to regulate commerce' and the amendments thereto in respect to common carriers, so far as the same may be applicable, including the right to subpoena and compel the attendance and testimony of witnesses and the production of documentary evidence and to administer oaths. All the requirements, obligations, liabilities, and immunities imposed or conferred by said 'act to regulate commerce' and by 'An act in relation to testimony before the Interstate Commerce Commission,' etc., approved February 11, 1893, supplemental to said 'act to regulate commerce,' shall also apply to all persons who may be subpoenaed to testify as witnesses or to produce documentary evidence in pursuance of the authority conferred by this section.

"It shall also be the province and duty of said Bureau, under the direction of the Secretary of Commerce and Labor, to gather, compile, publish, and supply useful information concerning corporations doing business within the limits of the United States as shall engage in interstate commerce or in commerce between the United States and any foreign country, including corporations engaged in insurance, and to attend to such other duties as may be hereafter provided by law."

The sixth amendment agreed to is to insert at the end of the first sentence in section 7 (which provides for the transfer of the Bureau of Immigration to the new Department) the following: "Provided, That nothing contained in this act shall be construed to alter the method of collecting and accounting for the head tax prescribed by section 1 of the act entitled 'An act to regulate immigration,' approved August 3, 1882."

The seventh amendment agreed to is to insert the words "or by" in section 9, so as to include in the transfer "all officers, clerks, and employees now employed in or by any of the bureaus," etc., transferred to the new Department.

The eighth amendment agreed to is to strike out all of section 10 and insert in lieu thereof the following:

"That all duties performed and all power and authority now possessed or exercised by the head of any Executive Department in and over any bureau, office, officer, board, branch, or division of the public service by this act transferred to the Department of Commerce and Labor, or any business arising therefrom or pertaining thereto, or in relation to the duties performed by and authority conferred by law upon such bureau, officer, office, board, branch, or division of the public service, whether of an appellate or revisory character or otherwise, shall hereafter be vested in and exercised by the head of the said Department of Commerce and Labor.

"All duties, power, authority, and jurisdiction, whether supervisory, appellate, or otherwise, now imposed or conferred upon the Secretary of the Treasury by acts of Congress relating to merchant vessels or yachts, their measurement, numbers, names, registers, enrollments, licenses, commissions, records, mortgages, bills of sale, transfers, entry, clearance, movements, and transportation of their cargoes and passengers, owners, officers, seamen, passengers, fees, inspection, equipment for the better security of life, and by acts of Congress relating to tonnage tax, boilers on steam vessels, the carrying of inflammable, explosive, or dangerous cargo on vessels, the use of petroleum or other similar substances to produce motive power, and relating to the remission or refund of fines, penalties, forfeitures, exactions, or charges incurred for violating any provision of law relating to vessels or seamen or to informer's share of such fines, and by acts of Congress relating to the Commissioner and Bureau of Navigation, shipping commissioners, their officers and employees, Steamboat-Inspection Service and any of the officials thereof, shall be, and hereby are, transferred to and imposed and conferred upon the Secretary of Commerce and Labor from and after the time of the transfer of the Bureau of Navigation, the shipping commissioners, and the Steamboat-Inspection Service to the Department of Commerce and Labor, and shall not thereafter be imposed upon or exercised by the Secretary of the Treasury. And all acts or parts of acts inconsistent with this act are, so far as inconsistent, hereby repealed."

The principal new matter inserted in section 10 as agreed to is for the purpose of transferring the present authority vested in the Secretary of the Treasury in regard to navigation and steamboat inspection service to the Secretary of Commerce and Labor. The amendment enumerates various acts of Congress in which the Secretary of the Treasury is now named by that title, in order to more specifically transfer his present power to the Secretary of Commerce and Labor.

The ninth amendment agreed to is to strike out of section 12 the words "or the Interstate Commerce Commission" and insert in lieu thereof the following: "From the Department of State, the Department of the Treasury, the Department of War, the Department of Justice, the Post-Office Department, the Department of the Navy, or the Department of the Interior." The effect of this amendment is to permit the President to transfer statistical or scientific work to the Department of Commerce and Labor from any of the Departments named, but it does not permit him to transfer the Interstate Commerce Commission or the statistical work of the Department of Agriculture or the Interstate Commerce Commission.

The tenth amendment is to insert after the word "act," in line 3 of section 13, the words "other than those of section 12." The effect of this amendment is to make section 12 of the act take effect immediately upon its passage.

W. P. HEPBURN,
JAMES B. MANN,
WILLIAM RICHARDSON,
Managers on the part of the House.

CONFERENCE REPORT TO SENATE FEBRUARY 10, 1903

Mr. HANNA submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 569) "to establish the Department of Commerce and Labor," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with amendments as follows:

Page 2, line 8 of the amendment, strike out all after the word "Congress" to the end of section 2 and insert in lieu thereof the following: "and the Auditor for the State and other departments shall receive and examine all accounts of salaries and incidental expenses of the office of the Secretary of Commerce and Labor and of all bureaus and offices under his direction, all accounts relating

to the Light-House Board, Steamboat-Inspection Service, Immigration, Navigation, Alaskan fur-seal fisheries, the National Bureau of Standards, Coast and Geodetic Survey, Census, Department of Labor, Fish Commission, and to all other business within the jurisdiction of the Department of Commerce and Labor, and certify the balances arising thereon to the division of bookkeeping and warrants, and send forthwith a copy of each certificate to the Secretary of Commerce and Labor."

Page 3, line 15, of the amendment, insert after the word "Establishment" the following: "the Steamboat-Inspection Service, the Bureau of Navigation, the United States shipping commissioners."

Page 4, line 3, of the amendment, strike out the word "Commissioners" and insert in lieu thereof the word "Commission."

Strike out all of section 6 and insert in lieu the following:

"Sec. 6. That there shall be in the Department of Commerce and Labor a bureau to be called the Bureau of Corporations, and a Commissioner of Corporations who shall be the head of said Bureau, to be appointed by the President, who shall receive a salary of \$5,000 per annum. There shall also be in said Bureau a Deputy Commissioner who shall receive a salary of \$3,500 per annum, and who shall in the absence of the Commissioner act as, and perform the duties of, the Commissioner of Corporations, and who shall also perform such other duties as may be assigned to him by the Secretary of Commerce and Labor or by the said Commissioner. There shall also be in the said Bureau a chief clerk and such special agents, clerks, and other employees as may be authorized by law.

"The said Commissioner shall have power and authority to make, under the direction and control of the Secretary of Commerce and Labor, diligent investigation into the organization, conduct, and management of the business of any corporation, joint stock company, or corporate combination engaged in commerce among the several States and with foreign nations excepting common carriers subject to 'An act to regulate commerce,' approved February 4, 1887, and to gather such information and data as will enable the President of the United States to make recommendations to Congress for legislation for the regulation of such commerce, and to report such data to the President from time to time as he shall require; and the information so obtained, or as much thereof as the President may direct, shall be made public.

"In order to accomplish the purposes declared in the foregoing part of this section, the said Commissioner shall have and exercise the same power and authority in respect to corporations, joint-stock companies, and combinations subject to the provisions hereof as is conferred on the Interstate Commerce Commission in said 'act to regulate commerce' and the amendments thereto in respect to common carriers so far as the same may be applicable, including the right to subpoena and compel the attendance and testimony of witnesses and the production of documentary evidence and to administer oaths.

"All the requirements, obligations, liabilities, and immunities imposed or conferred by said 'Act to regulate commerce' and by 'An act in relation to testimony before the Interstate Commerce Commission,' etc., approved February 11, 1893, supplemental to said 'Act to regulate commerce,' shall also apply to all persons who may be subpoenaed to testify as witnesses to produce documentary evidence in pursuance of the authority conferred by this section.

"It shall also be the province and duty of said Bureau, under the direction of the Secretary of Commerce and Labor, to gather, compile, publish, and supply useful information concerning corporations doing business within the limits of the United States as shall engage in interstate commerce or in commerce between the United States and any foreign country, including corporations engaged in insurance, and to attend to such other duties as may be hereafter provided by law."

Page 6, line 8, of the amendment, after the word "required," insert the words "by the Secretary of Commerce and Labor."

Page 7, line 7, of the amendment, after the word "labor," insert the following: *Provided*, That nothing contained in this act shall be construed to alter the method of collecting and accounting for the head tax prescribed by section 1 of the act entitled 'An act to regulate immigration,' approved August 3, 1882."

Page 8, line 25, of the amendment, after the word "in," insert the words "or by."

In lieu of section 10 of the amendment insert the following:

"Sec. 10. That all duties performed and all power and authority now possessed or exercised by the head of any executive department in and over any bureau, office, officer, board, branch, or division of the public service by this act transferred to the Department of Commerce and Labor, or any business arising therefrom or pertaining thereto, or in relation to the duties performed by and authority conferred by law upon such bureau, officer, office, board, branch, or division of the public service, whether of an appellate or revisory character or otherwise, shall hereafter be vested in and exercised by the head of the said Department of Commerce and Labor.

"All duties, power, authority, and jurisdiction, whether supervisory, appellate, or otherwise, now imposed or conferred upon the Secretary of the Treasury by acts of Congress relating to merchant vessels or yachts, their measurement, numbers, names, registers, enrollments, licenses, commissions, records, mortgages, bills of sale, transfers, entry, clearance, movements, and transportation of their cargoes and passengers, owners, officers, seamen, passengers, fees, inspection, equipment for the better security of life, and by acts of Congress relating to tonnage tax, boilers on steam vessels, the carrying of inflammable, explosive, or dangerous cargo on vessels, the use of petroleum or other similar substances to produce motive power, and relating to the remission or refund of fines, penalties, forfeitures, exactions, or charges incurred for violating any provision of law relating to vessels or seamen or to informer's shares of such fines, and by acts of Congress relating to the Commissioner and Bureau of Navigation, shipping commissioners, their officers and employees, Steamboat-Inspection Service and any of the officials thereof, shall be, and hereby are, transferred to and imposed and conferred upon the Secretary of Commerce and Labor from and after the time of the transfer of the Bureau of Navigation, the shipping commissioners, and the Steamboat-Inspection Service to the Department of Commerce and Labor, and shall not thereafter be imposed upon or exercised by the Secretary of the Treasury. And all acts or parts of acts inconsistent with this act are, so far as inconsistent, hereby repealed."

Page 10, line 12 of the amendment, strike out the words "or the Interstate Commerce Commission," and insert the following: "from the Department of State, the Department of the Treasury, the Department of War, the Department of Justice, the Post-Office Department, the Department of the Navy, or the Department of the Interior."

Page 11, line 6 of the amendment, after the word "act," insert the words: "other than those of section 12."

And the House agree to the same.

M. A. HANNA,
KNUTE NELSON,
A. S. CLAY,

Managers on the part of the Senate.
W. P. HEPBURN,
JAMES R. MANN,
WILLIAM RICHARDSON,
Managers on the part of the House.

The PRESIDENT pro tempore. Will the Senate agree to the conference report.

Mr. QUAY. Mr. President, I suggest to the Senator, who is the chairman of the committee of conference and who submitted this report, that it is a report of exceeding importance, and, if it concurs with his better judgment, that he allow it to be printed and go over until to-morrow. I expect to vote with the Senator for the adoption of the report, but I should like first to know exactly what I am voting for.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks that the conference report may be printed and go over until tomorrow. Is there objection? The Chair hears none, and that order is made.

CONFERENCE REPORT IN HOUSE FEBRUARY 10, 1903

Mr. HEPBURN. Mr. Speaker, I desire to call up the conference report on the disagreeing votes of the two Houses on the Senate amendments to the bill S. 569. I ask unanimous consent that the reading of the report be dispensed with and that the statement be read.

The SPEAKER. The gentleman from Iowa calls up a privileged report. The Clerk will report the title of the bill upon which this report is made.

The Clerk read as follows:

A bill (S. 569) to establish the Department of Commerce and Labor.

The SPEAKER. The gentleman asks unanimous consent to omit the reading of the report, and that the statement only be read. If there is no objection this course will be pursued. The Clerk will read the statement.

The Clerk read the statement.

[For text of the conference report and statement see record of the House proceedings of February 9, 1903. Page 642.]

Mr. HEPBURN. I yield five minutes to my colleague on the committee, the gentleman from Alabama [Mr. Richardson].

Mr. RICHARDSON, of Alabama. First, Mr. Speaker, I should like to know whether the gentleman from Iowa will allow a separate vote on section 6, which is known as the Nelson substitute.

Mr. HEPBURN. I think it is impossible to do that. I have no power to do so.

Mr. RICHARDSON, of Alabama. By unanimous consent will you allow it?

Mr. HEPBURN. Oh, I think not. I think it had better go in the usual course.

Mr. RICHARDSON, of Alabama. Will you be willing, if the report of the conferees is voted down, to instruct the conferees to leave out section 6, which is the Nelson substitute?

Mr. HEPBURN. Oh, I do not care to make any contracts or agreements of that kind.

Mr. RICHARDSON, of Tennessee. I suggest to my colleague that if we vote down the conference report, then it would be in order to instruct the conferees; but you would first have to vote down the conference report.

Mr. RICHARDSON, of Alabama. I understand that to be the parliamentary rule, and I ask, further, of my distinguished friend from Iowa [Mr. Hepburn] that he allow me more than five minutes for the discussion of that substitute.

Mr. HEPBURN. How much time does the gentleman want?

Mr. RICHARDSON, of Alabama. Not an unreasonable time. I should like an hour.

Mr. HEPBURN. I do not think we ought to do that.

Mr. RICHARDSON, of Alabama. We were in conference a week on this question, and I would like very much to have that time allowed me to express my views fairly of what is known as the Nelson substitute.

Mr. HEPBURN. I would not be inclined to extend the time so as to give the gentleman all of my time. That is all of the time I have. I want to reserve a few minutes.

Mr. RICHARDSON, of Alabama. I hope the gentleman will not be so uncharitable as to limit me to only five minutes.

Mr. HEPBURN. Oh, no; I have no desire to do that. I will yield to the gentleman thirty minutes.

The SPEAKER. The gentleman from Alabama is recognized for thirty minutes.

Mr. RICHARDSON, of Alabama. Mr. Speaker, I regret very much that I was unable to agree with the distinguished conferees with whom I have been associated, representing the majority of this House, the gentleman from Iowa [Mr. Hepburn] and the gentleman from Illinois [Mr. Mann], on the measure known as the Nelson substitute; but after a conference extending over several days I found myself in a position of radical difference with those gentlemen upon the natural, fair, and just construction that I think this substitute justly bears. I shall not resort, Mr. Speaker, to strained construction to arrive at the true meaning of the substitute. It speaks for itself in its own words.

I take this occasion, Mr. Speaker, to say that I do not believe that any Democrat

can sustain himself before the people in opposition to a measure that proposes to give any relief against the evils of trusts and monopolies simply because it has a Republican origin or comes to us with a Republican stamp and Republican approval. I go still further than that. I do not believe that any Republican can hereafter give a satisfactory explanation to the people as to why he supported a measure that on its face claims to regulate and control trusts and monopolies and suppress their evils, when in fact the measure does not regulate and does not control, but leaves the trusts to the enjoyment of all their lawless powers and abundant opportunities to accumulate unparalleled wealth at the expense of the toiling masses of this country, as they have been doing with our people for years past.

I believe, Mr. Speaker, that the people of this country in all sections of the Union are sufficiently intelligent and sufficiently informed as to the workings, management, and effect of the evils of the trusts—and to know that they are not only a menace, but an actual injury to their interests—to place the responsibility where it properly belongs if we fail to grant the relief that they demand from the evils of these trusts. We may stand here on the floor of the House to our heart's content and applaud the fervid expressions on the either side of the Chamber. The able and distinguished gentleman from Pennsylvania [Mr. Dalzell] may repeat, as he has heretofore stated on this floor, "To undertake to revise the tariff at this period of unparalleled prosperity would be the height of legislative madness." The distinguished gentlemen from Pennsylvania [Mr. Sibley] only a few days since said in the presence of this House, in substance, that the Dingley schedules were so sacred and hallowed that they ought not to be touched by the hand of revision. He warned us to be careful, but he failed to suggest anything looking to the relief of the onerous burdens of the people.

These matters will all come before the people of this country very soon—to pass upon our honesty and sincerity and the opportunities we had to give relief, and whether we met or failed to come up to the full measure of our duties.

Now, Mr. Speaker, I dissent most earnestly and sincerely from this Nelson substitute. I believe it to be an ultra dilution of a hypodermic dose of so-called antitrust legislation. I believe it to be a travesty upon what its friends represent and claim to be its only virtue—publicity. Why do I say that? I am in no manner responsible for the studied efforts that you and I on both sides of this House fully understand are being made to make it appear that this Nelson substitute is hostile to the trusts, and especially to the Standard Oil Company. Gentlemen of this House will not be influenced by this consideration. They look at it for themselves. In my opinion, the trusts, the corporations, the combines, and all other monopolies of all characters and description have no reason to fear any harm from this Nelson substitute. I will now read section 6 in the House bill for which the Nelson amendment is a substitute, and will read also the Nelson substitute.

SEC. 6. That there shall be in the Department of Commerce and Labor a bureau to be called the Bureau of Corporations, and the chief of said Bureau shall be appointed by the President and shall receive a salary of \$4,000 per annum. There shall also be in said Bureau such clerks and assistants as may from time to time be authorized by law. It shall be the province and duty of said Bureau, under the direction of the Secretary of Commerce and Labor, to gather, compile, publish, and supply useful information concerning such corporations doing business within the limits of the United States as shall engage in interstate commerce or in commerce between the United States and any foreign country, and to attend to such other duties as may be hereafter provided by law.

This is the Nelson substitute:

Strike out all of section 6 and insert in lieu thereof the following:

"SEC. 6. That there shall be in the Department of Commerce and Labor a bureau to be called the Bureau of Corporations, and a Commissioner of Corporations, who shall be the head of said Bureau, to be appointed by the President, who shall receive a salary of \$5,000 per annum. There shall also be in said Bureau a deputy commissioner, who shall receive a salary of \$3,500 per annum and who shall in the absence of the Commissioner act as and perform the duties of the Commissioner of Corporations, and who shall also perform such other duties as may be assigned to him by the Secretary of Commerce and Labor or by the said Commissioner. There shall also be in the said Bureau a chief clerk and such special agents, clerks, and other employees as may be authorized by law.

"The said Commissioner shall have power and authority to make, under the direction and control of the Secretary of Commerce and Labor, diligent investigation into the organization, conduct, and management of the business of any corporation, joint-stock company, or corporate combination engaged in commerce among the several States and with foreign nations, excepting common carriers subject to 'An act to regulate commerce,' approved February 4, 1887, and to gather such information and data as will enable the President of the United States to make recommendations to Congress for legislation for the regulation of such commerce, and to report such data to the President from time to time as he shall require; and the information so obtained, or as much thereof as the President may direct, shall be made public.

"In order to accomplish the purposes declared in the foregoing part of this section, the said Commissioner shall have and exercise the same power and authority in respect to corporations, joint-stock companies, and combinations subject to the provisions hereof, as is conferred on the Interstate Commerce Commission in said 'Act to regulate commerce' and the amendments thereto in respect to common carriers so far as the same may be applicable, including the right to subpoena and compel the attendance and testimony of witnesses and the production of documentary evidence and to administer oaths. All the requirements, obligations, liabilities, and immunities imposed or conferred by said 'Act to regulate commerce,' and by 'an Act in relation to testimony before the Interstate Commerce Commission,' etc., approved February 11, 1893, supplemental to said 'Act to regulate

commerce,' shall also apply to all persons who may be subpoenaed to testify as witnesses or to produce documentary evidence in pursuance of the authority conferred by this section.

"It shall also be the province and duty of said Bureau, under the direction of the Secretary of Commerce and Labor, to gather, compile, publish, and supply useful information concerning corporations doing business within the limits of the United States as shall engage in interstate commerce or in commerce between the United States and any foreign country, including corporations engaged in insurance, and to attend to such other duties as may be hereafter provided by law."

There can be no question that this section 6, that the Nelson bill is a substitute for, provides for publicity. Does the substitute provide for publicity? Let us analyze it from a standpoint of plain common sense. It is before you, and you have read it. No law has ever been enacted yet that has not an aim and an end in it. What is this? I propound it to both sides of this House. The purpose and object of this measure or of this substitute is to enable the President of the United States to do what? To take, under the supervision of the Secretary of Commerce and Labor, action against the trusts? No. It is to provide a way to gather such information and data as will enable the President of the United States to make recommendations to Congress for legislation. I say that this substitute has the same characteristic that the chased and pursued fawn instinctively possesses that is being hotly chased by the hunter. After being pursued through circuitous route, through the woods, over the hills, and through the valleys, it returns at evening to the place where it started. When all the conditions precedent are complied with and the President sees proper, he will, in the sweet by and by, ask Congress for legislation to regulate commerce trusts. We are to pass the Nelson substitute, and when the President picks up the data, under the qualifications and limitations that I have explained, he is to come back to Congress and ask for additional legislation.

I say, Mr. Speaker, that that condition is directly antagonistic and contrary to every declaration that has been made, and the threats that we have been regaled with in the morning papers at the breakfast table—at the dinner table—that if some legislation is not enacted by this Congress, the present Congress, that will enable us really to regulate the trusts and subordinate them to the laws of the country, that an extra session of Congress will be held.

Now, Mr. Speaker—

The said Commissioner shall have power and authority to make, under the direction and control of the Secretary of Commerce and Labor, diligent investigation into the organization, conduct, and management of the business of any corporation, joint-stock company, or corporate combination.

For what?

So as to enable the President of the United States to make recommendations to Congress for legislation.

Why not enact that legislation to-day? The country knows the conditions. Congress should act at this session. Why delay? What reason and occasion is there for us to ask the President of the United States to secure data about the great steel trust. Suppose he should find out in his investigation that the products now made and controlled by the steel trust are sold cheaper in Europe than they are to our home folks. If he should ascertain the fact that the steel trust last year exported fully ninety-three millions of their products to foreign countries, and, after paying expenses of transportation, sold these products cheaper to foreigners than to our own people, that would be no news, no startling intelligence. If he should further get data showing that in March of last year the beef trust sent abroad nearly \$9,000,000 worth of American meats, and yet beef in April following sold at 14 cents a pound in London and brought 24 cents per pound in New York City, do we not all know that now? It is shown by current price lists. Why go to the superfluous and the meaningless task and delay of requiring the data about that which shows as plain as the sun above our heads? We know, and the country knows, the vast difference in the price in foreign markets and the price at home of plows, cultivators, wire nails, and other necessities of life.

I say that this measure, with all due regard for the honesty, ingenuity, and ability of the conferees who framed and ratified it, is entitled to be characterized as a pretext and subterfuge; and if I do not characterize it as that, I will say, at least, that in my humble opinion it is but an echo and expression of the opinion of that great Republican who has announced the Republican policy relative to all antilegislation to be to "stand pat," do nothing. This substitute comes up to the full measure of that policy. In that connection I beg leave to read a statement, and I consider it as a semiofficial Administration statement. It comes from the Evening Star, and it is about this Nelson substitute.

PUBLICITY FOR THE TRUSTS.

However, the chief interest in the action of the Commerce Committee is in the adoption of a sort of publicity feature for all corporations except railroads. The opinion prevails that if this amendment becomes law it will constitute about all the antitrust legislation which can be expected at this session of Congress, besides the paragraph in the legislative, executive, and judicial bill. The text of the section as perfected by the committee is as follows.

You will note the Star says significantly and somewhat authoritatively, "it will constitute about all the antitrust legislation which can be expected at this Congress," etc.

A "sort" of publicity! What does "sort" mean in the English language? Why, it means a "feint," it means a pretense, it means a stagger at something that you say you are going to do, but do not intend to do. It implies under the most charitable construction a doubt as to whether the thing claimed is there. All on earth that the friends claim for this substitute is a "sort" of publicity. It provides for no penalties.

Now, Mr. Speaker, let us go a little further in a fair and just analysis. I was glad, a few days since, when I saw a solid vote, a remarkable spectacle in the House of Representatives of the United States. The House—Republicans and Democrats—gave a solid vote for a real, genuine antitrust act—the Littlefield bill. I was glad that a united and solid Democratic vote stood for that measure, because it relieves us forever of the false and groundless charge that we are here simply as a party of objection—a party of obstruction. We have come and joined hands with the Republicans, who, after months of labor and toil and after many consultations of their ablest statesmen, reported the Littlefield bill, and said to them, we join you in this measure to relieve our country of the evils of the trust. It is true that the bill did not fully meet the requirements and demands of our side of the House, but it was a long step in the right direction.

Take this Nelson substitute and compare it in the matter of publicity with the first section of the Littlefield bill, which reads as follows:

That every corporation which may be hereafter organized shall, at the time of engaging in interstate or foreign commerce, file the return hereinafter provided for, and every corporation, whenever organized, and engaged in interstate or foreign commerce shall file a return with the Interstate Commerce Commission for the year ending December 31, whenever, and at such time, as requested by said Commission, stating its name, date of organization, where and when organized, giving statutes under which it is organized, and all amendments thereof; if consolidated, naming constituent companies and where and when organized, with the same information as to such constituent companies, so far as applicable, as is herein required of such corporation; if reorganized, name of original corporation or corporations, with full reference to laws under which all the reorganizations have taken place, with the same information as to all prior companies in the chain of reorganization, so far as applicable, as is herein required of such corporation; amount of bonds issued and outstanding; amount of authorized capital stock, shares into which it is divided, par value, whether common or preferred, and distinction between each; amount issued and outstanding; amount paid in; how much, if any, paid in cash, and how much, if any, in property; if any part in property, describing in detail the kind, character, and location, with its cash market value at the time it was received in payment, giving the elements upon which said market value is based, and especially whether in whole or in part upon the capitalization of earnings, earning capacity, or economies, with the date and the cash price paid therefor at its last sale; the name and address of each officer, managing agent, and director; a true and correct copy of its articles of incorporation; a full, true, and correct copy of any and all rules, regulations, and by-laws adopted for the management and control of its business and the direction of its officers, managing agents, and directors. Nothing herein contained shall be construed as relieving any corporation from making, in addition to the foregoing, such returns as are now required by the "Act to regulate commerce," approved February 4, 1887, and all amendments thereof; but the provisions of this act, as to signing and making oath to returns and making answers on oath to written inquiries, shall be applicable to returns and such answers made under said act and amendments thereof.

So far as any return may be a duplicate of one already filed, that fact may be stated, and the details, which are in such case duplicates, need not be repeated. Upon its being made to appear to the satisfaction of the Commission that without fault on its part it is impracticable for such corporation to furnish any of the items aforesaid, it may, by a written order of said Commission, be excused from furnishing such item or items.

Said Commission shall cause to be prepared a blank return for the use of such corporations, containing the foregoing requirements, and shall make such rules and regulations as may, in its judgment, be necessary to carry out the purposes of this act. The president, treasurer, and a majority of the directors of such corporation shall make oath in writing on said return that said return is true. The treasurer, or other officer of such corporation having the requisite knowledge, shall answer on oath all inquiries that may be made in writing on the direction of said Commission in relation to said return. Any corporation failing to make such return, or whose treasurer or other officer shall fail to make the answers aforesaid, may be restrained, on the suit of the United States, from engaging in interstate commerce until such return is made. Suit may be brought in any district of the United States at the election of the Attorney-General.

I ask the members of this House and the country to compare this diluted dose of antitrust legislation with sections 5, 6, 7, and 11 of the Littlefield bill which has some gist in it. The comparison exposes what this substitute is. It pales into absolute insignificance. Compare it with the eleventh section of the Littlefield bill which gives any injured citizen, regardless of the President of the country or anyone else, the right to go into the courts and complain of the workings of these trusts. These sections are as follows:

SEC. 5. That any person, carrier, lessee, trustee, receiver, officer, agent, or representative of a carrier, subject to the act to regulate commerce, who, or which, shall offer, grant, give, solicit, accept, or receive any rebate, concession, facilities, or service, in respect to the transportation of any property, in interstate or foreign commerce, by any common carrier subject to said act, whereby any such property shall, by any device whatever, be transported at a less rate than that named in the tariffs published and filed by such carrier, as is required by said act to regulate commerce, or shall receive any advantage by way of facilities or service, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof be subject to a fine of not less than \$1,000.

SEC. 6. That no corporation engaged in the production, manufacture, or sale of any article of commerce, violating any of the provisions of section 5 of this act, or attempting to monopolize or control the production, manufacture, or sale thereof, in any particular locality, by discrimination in prices, or by giving special privileges or rebates or otherwise, in order to destroy competition therein, in such locality, shall use, either directly or indirectly, any of the facilities or instrumentalities of interstate commerce, or in any way engage in interstate commerce for the purpose of aiding or facilitating, either directly or indirectly, such production, manufacture, or sale, with such intent; nor shall any other person or corporation use any of the facilities or instrumentalities of interstate commerce, or in any way engage in interstate commerce, in buying, selling, or disposing of any such article of commerce, for the purpose of enabling such first-mentioned corporation to engage or to continue to engage in such production, manufacture, sale, or control, with such intent. Every corporation or person violating the provisions of this section shall be punished, on conviction, by a fine of not less than \$500 and not exceeding \$5,000.

SEC. 7. That any common carrier, lessee, trustee, receiver, or transportation company, engaged in interstate commerce, now subject to the provisions of said act to regulate commerce, knowingly transporting any property produced, manufactured, or sold in violation of the provisions of this act, or in violation of the provisions of "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890, in interstate commerce, shall be subject to a penalty of not less than \$1,000, to be recovered by the United States, in any court of the United States having jurisdiction thereof, which suit may be brought in any district in which such common carrier, lessee, trustee, or receiver, or transportation company has an office or conducts business.

SEC. 8. That all prosecutions, hearings, and proceedings under the provisions of this act, and under the provisions of "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890, whether civil or criminal, no person shall be excused from attending and testifying, or from producing books, papers, contracts, agreements, and documents before the courts of the United States, or the commissioners thereof, or the Interstate Commerce Commission, or in obedience to the subpoena of the same, on the ground, or for the reason, that the testimony or evidence, documentary or otherwise, required of him, may tend to criminate him, or subject him to a penalty or forfeiture; but no person shall be prosecuted or subjected to any penalty or forfeiture for, or on account of, any transaction, matter, or thing concerning which he may testify or produce evidence, documentary or otherwise, before said courts, commissioners, or Commission, or in obedience to the subpoena of either of them, in any such case or proceeding.

Testimony of witnesses under the provisions of the act to regulate interstate commerce and amendments thereof, and of this act, before said Commission, or any member thereof, shall be on oath, and either of the members of said Commission may administer oaths and affirmations and sign subpoenas.

SEC. 11. That any person or corporation injured in business or property, by any other person or corporation, by reason of anything forbidden or declared to be unlawful by this act, may sue therefor in any circuit court of the United States in the district in which the defendant or defendants reside or are found, without respect to the amount in controversy, and shall recover threefold the damages sustained and the costs of suit, including a reasonable attorney's fee.

Now, Mr. Speaker—

To gather such information and data as will enable the President of the United States to make recommendations to Congress for legislation for the regulation of such commerce and to report such data to the President when, from time to time, as he shall require—

and the information so obtained, or as much thereof as the President may direct, shall be made public. I ask most solemnly, if anything is really contemplated by this substitute, why not require the President to turn over his information to his Attorney-General and require him to act at once? The cloven foot shows itself here.

I appeal to the honest construction that any man will give to the ordinary English language—what does that mean? "As much thereof as the President may direct shall be made public." He can suppress all data, every scintilla of information. He can hold it secret and stand pat and say and do nothing, and no law can move him. Is that publicity? Do you propose to put into the hands of one man the autocratic power to pass on the question that involves the great interests and welfare of all the people? What wonderful power do you place in one man's hands. It can be used in a most dangerous manner. Suppose Carroll D. Wright, whose Department has been transferred to the Department of Commerce and Labor, should appeal to the President for data concerning the cost of transportation and the cost of producing coal.

The Department of Labor has been transferred to the Department of Commerce and Labor. It is under the supervision of the Secretary of that Department. It is a part and parcel of this great new Department of Commerce that is to be established.

Yet, if Mr. Wright, the Commissioner of Labor, should seek such information upon the vital matter of the costs of the transportation of coal in order to compare it with cost of production, he would be told that he would have to look elsewhere for his information, because the Nelson substitute "excepts common carriers" from its provisions. Then, again, if Commissioner Wright went to work and undertook to get up data and information, the President could forbid the publication "of the information so obtained, or as much thereof as the President may direct," because the Nelson substitute in its relation to "An act to regulate commerce" is limited by the subject to the provisions thereof—that is the Nelson measure.

The Labor Department has had the right to gather its own statistics. There it is subjected to the crucible of the will of the President. I say that autocratic power placed in the hands of one man is against the spirit and policy of our free American institutions. I say, Mr. Speaker, that is a power that ought to be put in the hands of no man under our republican form of government. How do you or I know who is to be President? It is frequently said to me, "The President is honest and sincere." I am far above making any criticism of him. How do you know, how do I know,

that the present incumbent will be the next President of the United States? We are not legislating for any man. Suppose a great trust magnate were to be made President under the power of this law. What investigation could follow? What inquiries could be made? How helpless the country would be.

Why, Mr. Speaker, that latter clause, "or so much thereof as the President may direct shall be made public," is not publicity. Does any man contend that it is publicity? Section 6 in the Department of Commerce bill provides that these matters should be published without restraint. It reminds me of what is said down in my section when a man wants to make a thing absolutely secure and safe; he says it is equal to a "stake and rider fence." That is defined down in our country to be a fence horse high, bull strong, and pig tight; you can not get over it, nor under it, nor around it.

That last clause, "or so much thereof as the President may direct shall be made public," is a stake and rider legal barrier or fence. [Laughter.] Suppose a man goes there and wants to make a complaint before the President. It would simply be a physical impossibility for the President to hear all the complaints that would be made. Not only that, this Nelson substitute provides that the President shall suggest the data that the Commissioner of the Bureau of Corporations is to collect, and for fear he might collect some data that ought not to go to the public, the measure, as a matter of precaution, to prevent accidents, says that "so much thereof as the President sees proper shall be made public." I know that it is an ordinary provision to say that certain duties shall be under the control of the secretary of a department. For the Secretary of the Interior to supervise the Director of Census or the Secretary of Agriculture to supervise gathering of farm statistics is a harmless provision. That is right; but this authority put in the position it is here, making barriers, is a different proposition. What are the barriers to investigation? The Secretary of the Department of Commerce and Labor has first to have his say at it. Next, the President may tell him what data he must get. Next, when the President gets that data and information about these trusts in his hands, holding them in the hollow of his hand, it is for him to say whether he will publish them or not.

There never was, in my judgment, in the history of this great Government of ours such an autocratic power placed in the hands of one man, placed there on a subject that concerns the welfare and the interests of all the people of this country. It can be used as an engine of power. I do not mean to say that it would be used with reckless disregard of the rights of the people for and in behalf of the trusts. We all know that the President has repeatedly said that there are "good trusts and bad trusts." Who should be the judge on such a question? It should not be one man. It should be the law, under the rules and regulations prescribed for eliciting truth. This is a government of law. I have always believed that the least left to the discretion of a public official is the best law for the rights and interests of the people.

Why should the Littlefield bill be doomed to a languishing death in place of this Nelson substitute? That is the question that we have got to answer before the people. 'Tis said that it will surely die.

I will refrain, Mr. Speaker, from entering into a discussion of the tariff question. Gentlemen have heard enough of such discussion already. I want to read something that the distinguished Secretary of War, Mr. Root, said in a speech to the Union League at New York on the night of February 6. I read it, Mr. Speaker, with much concern. It bears its significance when it comes from such a source:

Secretary Root congratulated the veterans of the club upon having "woven a thread into fabric of the great life of this country."

"There are," he added, "many problems coming up to-day on which the safety of this Government depends. There are to-day situations of possible evils for our country that call for devoted patriotism. First, division between the rich and the poor, under which wealth controls legislation and poverty is trying to stir up a war of classes, but every good citizen should declare that never in this free land shall we have a war of classes."

Ought not the great Secretary to have supplemented that statement by saying that in order to prevent this deplorable war of classes we should undertake by law to curb the greed of the trust? That is what brought about this condition; it is what is leading us to this prophesied war of classes. What has made the division between the rich and the poor—made it so marked in our country in the past few years? Wealth controls legislation, and it behooves the Congress of the United States to recognize these conditions. It becomes us, as men who love the institutions of our country, to see to it that the great power of wealth shall not be used against the interests of the masses. No man has the right to denounce or impair the right of every man to acquire honest wealth. It is what we all strive for. Let every man have an equal and fair chance in the race of life for the goods of this world. Let us stand to, rechristen, and rededicate the great fundamental principles of our republican form of government, "equal rights to all and special privileges to none."

Mr. THAYER. I should like to ask the gentleman a question.

Mr. RICHARDSON, of Alabama. I will yield to the gentleman.

Mr. THAYER. I am not entirely conversant with the provisions of the act creating the Interstate Commerce Commission. I notice that this bill in section 6 confers upon the Bureau of Corporations, that is to be created, the same authority which is conferred upon the Interstate Commerce Commission relative to common carriers. Now, my friend, in your opinion, if this Bureau should be appointed, would it have authority to get the information which in our antitrust bill we have directed to be obtained? For instance, could it inquire of a corporation whether it had had any rebate, whether it had sold to one party at a lower price than to another, whether it had overcapitalized? Could the inquiries be made to reach any of those important matters?

Mr. RICHARDSON, of Alabama. In answer to the gentleman from Massachusetts I will say that if he will read the Nelson substitute closely he will see that it says "subject to the provisions of this act," which, in my humble judgment, makes inapplicable the provisions for the investigation of these trusts as is provided by the act to regulate commerce, and is one of the chief barriers that will stand in the way to prevent such investigation. It was placed there, I think, just to accomplish that purpose.

Mr. MANN. I hope the gentleman does not really believe that.

Mr. RICHARDSON, of Alabama. Yes, I believe it; and if you will give me the time I can demonstrate it. What power can the Interstate Commerce Commission have to secure these returns if we make that Commission subject to the provisions of the Nelson substitute? This provision is, in my judgment, a carefully worded, well-considered, artistically framed device for preventing the accomplishment of the very thing that the people of this country are demanding to-day—the control and regulation of the trust.

Mr. GAINES, of Tennessee. Does the Nelson substitute apply to existing corporations?

Mr. RICHARDSON, of Alabama. In regard to this Nelson substitute, let me say, as was said by the distinguished gentleman from Indiana [Mr. Overstreet] the other day, that to leave out the Interstate Commerce Commission from the Department of Commerce would be like playing the great Shakespearean play without the character of Hamlet. Yet this Nelson substitute, though pretending to regulate these trusts and combinations and organizing a bureau of corporations, leaves out the railroad corporations; it does not embrace them at all; and I say that a law which in thus undertaking to regulate corporations leaves out the railroads does not only enact the great play of Hamlet with the part of Hamlet omitted, but it puts upon the boards a roaring farce.

Mr. Speaker, I am not an extreme advocate of what is known as tariff revision. I would not of my own free will disturb, nor do I believe that my party would disturb, the interests or the business of our country in any improper way. The people of this country are conservative. They have felt the evils of the trust, and they expect and are entitled to relief. The law that we may make here ought to meet the demands to protect competition, which is the surest way and the strongest instrumentality for breaking down and preventing monopoly. It should not only do that, but it should reduce the tariff reasonably to a moderate revenue basis, and especially upon those products that are controlled by the trusts. It should protect the small industries and corporations of this country against unjust rivalry and competition. Those are plain principles. It should prevent unjust and unlawful capitalization. The law should provide for reasonable publicity—such publicity as would not stimulate or allow an inquisitorial investigation. We want reasonable, just laws that apply to all alike.

The SPEAKER pro tempore (Mr. Dalzell). The time of the gentleman from Alabama has expired.

Mr. RICHARDSON, of Alabama. Mr. Speaker, I ask the gentleman from Iowa to allow me five minutes more.

Mr. HEPBURN. I yield to my colleague on the committee five minutes more.

Mr. RICHARDSON, of Alabama. I am much obliged to the gentleman.

The SPEAKER pro tempore. The gentleman from Alabama is recognized for five minutes.

Mr. RICHARDSON, of Alabama. I say, too, Mr. Speaker, that the conservative sentiment which I have just enunciated comes from Republicans—leading Republicans of this country—as well as from Democrats. I read the language of one such:

We Republicans of Iowa are all protectionists, but we insist that the tariff must be removed on articles in which monopoly has been established. We call upon Congress to place legislative obstacles in the way of the tendency of modern combinations to destroy competition. Competition is the fundamental law of industrialism, and we are not willing to have the tariff used in throttling or perpetuating it.

That comes from the distinguished governor of Iowa—Governor Cummins. It is a sentiment that pervades all sections of our country. We must have genuine work—no dodging behind the bush now.

I read again from the remarks of the distinguished Senator from Iowa [Mr. Dolliver]:

For years we have been telling the people that we would do something toward broadening trade by means of reciprocity treaties. We have had the power in all branches of the Government, but we have done nothing. The Republican party has got to stop a lot of its conversation or to take up these treaties and some of the tariff schedules and do something toward satisfying expectations. The Republican party on this question is like a ship with all sail set and anchor fast. It is time to take in sail or pull in the anchor.

In common parlance, that means to "shoot, Luke, or give up the gun." You have been aiming at the trusts long enough; fire now or give the Democrats the gun. That is what it means in 1904, and if you adopt this homeopathic, diluted concoction of the Nelson substitute the sentiments of Senator Dolliver, uttered in his own State, will come back to annoy you and harass you. Now, Mr. Speaker, as I understand the parliamentary situation of this matter, it is that the conference report will have to be voted down in order to reach this subdivision 6. I know there is great difficulty in that. I know there are gentlemen on both sides of this House who are interested in the establishment of the Department of Commerce and Labor which this bill proposes to establish. I have frankly given my views upon the Nelson substitute.

I do not believe that anything good for the people against the trusts can come out of it. I was anxious to have and requested a separate vote on this substitute. This was declined or refused. I think that there is nothing whatever in it to alarm the trusts, and I do not think they are alarmed. The Republican party is responsible. No one should be allowed hereafter to say to us that we obstructed or hindered any legislation that promised or claimed to check the trusts. In that spirit I shall vote for the conference report. Surely no man who is honest and sincere in advocating the broad, conservative, legal, and just principles enunciated in the Littlefield bill can say for a moment that this Nelson substitute ought in justice to take the place of such a bill. If the Littlefield bill fails, then the people will answer in 1904.

Mr. Speaker, I ask unanimous consent for leave to extend my remarks in the Record.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. HEPBURN. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. Ball].

Mr. BALL, of Texas. Mr. Speaker,

The four first acts already past,
A fifth shall close the drama with the day;
Time's rottenest offspring is the last.

First. In the closing hours of the Fifty-sixth Congress the Republican party presented, as a means to destroy the trusts, a constitutional amendment to confer added power upon Congress. The Democrats opposed that amendment, insisting that there was ample constitutional power in the Congress of the United States to destroy every trust in the Union. The Republicans have receded from the position which they took at that time, and the President and a Republican Attorney-General are now agreed that Congress has the necessary power.

Second. We had in the closing hours of that Congress what was known as the Littlefield bill, which was a measure calculated at least to seriously embarrass the trusts. That went through this House with a whoop and died, because there were but four days, as all the members of Congress knew, in which the Senate could consider it, and it had been held back for that purpose.

Third. We had heralded in the newspapers during the past summer the fact that the eminent gentleman from Maine [Mr. Littlefield] was preparing a "trust buster" under the auspices and direction of the President of the United States, who had promised "to shackle the cunning of the trusts." After consultation with the powers that be the gentleman from Maine brought in a bill, and it was submitted in this House, and in the language, forceful but true, of the gentleman from Illinois [Mr. Cannon], when the committee brought that bill back they had "cut the dog's tail off right behind the ears."

Fourth. We had the emasculated Littlefield bill, which was passed in this House a few days ago with apparent seriousness and good faith, voted for by every member upon both sides of the Chamber, although its authors knew and the members upon that side of the House knew that it was not the intention of the Republican party

at this session or any future session of Congress that even as mild a bill as that should become law or to pass any effective trust legislation.

Fifth. Mr. Speaker, we have had trumpeted from the White House the fact that the Administration has changed its programme; that it is now anxious to get through what is known as the Nelson bill and the Elkins bill, which passed the Senate of the United States without any discussion or consideration whatever; and the newspapers are pretending to say that the Standard Oil Company is sending in telegrams and protests against the passage of these homeopathic doses to the trusts.

Mr. Speaker, I do not believe that John D. Rockefeller has sent any message to any Senator of the United States, or anybody else, in opposition to these measures, which are hardly equal to a dose of "soothing sirup," much less calculated to destroy the trusts. These bills are mere makeshifts, a hippodrome, to help get the Administration out of the hole into which its pretended trust-destroying efforts have placed it. If the President is sincere he is powerless, because he finds behind him a subservient Republican party which is not honest in its efforts to destroy the trusts. It is now the purpose of the Republican party to rush through the Nelson and Elkins bills to deceive the public and cover up the Administration's failure to get through legislation proposed by it and defeated by the trusts. Vote down this report, because if you adopt it, and then the Elkins bill, there will be a flourish of trumpets that, over the opposition of the Standard Oil and other trust concerns, the Administration has secured trust legislation.

There is nothing in this amendment of any value whatever. It creates a Bureau of Corporations at a considerable expense to gather information for the President, who makes public such as he sees proper. It is, in fact, no legislation whatever. When passed the suppression of trusts will be as far off as ever. Vote down the conference report and instruct the conferees to insist upon an amendment containing at least the publicity features of the House bill passed a few days ago, which is being smothered at the other end of the Capitol. In this way only will it be possible to have any legislation of value passed at this session of Congress. [Applause.]

Mr. HEPBURN. Mr. Speaker, I yield five or ten minutes to the gentleman from Illinois [Mr. Mann], if he desires the time.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for ten minutes.

Mr. MANN. I shall not use all the time that is allotted to me, Mr. Speaker, principally because my physical condition is such that I am not able to speak without great effort. The purpose of the House in inserting in the bill the section for the Bureau of Corporations is most fully justified by the Nelson amendment, which we have before us in the conference report. I may say, in reply to the suggestions which have been made by the gentleman from Alabama [Mr. Richardson] and the gentleman from Texas [Mr. Ball] in reference to the so-called Nelson substitute, that the statements made by them are not borne out by the wording of the substitute; and I say, Mr. Speaker, without question, that the Nelson substitute confers a greater power upon the Commissioner of Corporations to make investigations of so-called trusts than has been proposed in any other bill or in any other proposition brought before Congress. The objection was made by one of the gentlemen interested in trust legislation that the Nelson amendment was too drastic, that it went too far.

Mr. Speaker, it confers upon the Executive an absolute power to make complete investigation in reference to all phases, all conditions, all control of any corporation engaged in interstate commerce which the Secretary may desire to have investigated. That information and that investigation are public. It is true that the Nelson amendment does not propose to punish violations of any law which we create. The Nelson amendment proposes investigation in order to obtain information. I am not surprised, Mr. Speaker, that the other side of this House, which has always talked for trust legislation, now when it comes to the point where we can actually enact legislation, draws back afraid to put upon the statute books any legislation upon the subject. So long, Mr. Speaker, as the House is engaged in passing a bill, the gentlemen on the other side urge it. While the Senate is engaged in passing another bill, the gentlemen on the other side urge it; but when it comes to having the House and the Senate join in passing the same bill, and the question is presented to the gentlemen, they hesitate and gag.

Mr. THAYER. Mr. Speaker—

The SPEAKER pro tempore. Does the gentleman from Illinois yield to the gentleman from Massachusetts?

Mr. MANN. Yes.

Mr. THAYER. I should like to ask the gentleman the question that I asked the gentleman from Alabama. Do you believe that if this bill passes you could, under the provisions of section 6, compel any officer of any corporation to reveal what is demanded of him in the antitrust bill, namely, whether they are overcapitalized;

rebates, whether they have paid or received any; and the manner of the conduct of their business?

Mr. MANN. Mr. Speaker, I have hardly any belief on that. It is so plain that I think I may say I know if Congress has the constitutional authority under any circumstances to ask these questions of a corporation, that authority is conferred to the fullest extent by this bill upon the Commissioner of Corporations, and all the power Congress can confer upon anyone to make investigations of corporations is conferred upon the Commissioner of Corporations by the Nelson amendment.

Mr. THAYER. One question further.

Mr. MANN. Certainly.

Mr. THAYER. The only authority conferred in this bill is the authority that is conferred in the Interstate Commerce Commission in dealing with railroads and common carriers. Is there any provision in the statute to which this refers to compel a corporation to reveal the conditions I have stated?

Mr. MANN. Oh, well, the gentleman knows that the authority conferred upon the Commissioner of Corporations, in reference to these corporations, is that conferred upon the Interstate Commerce Commissioners now in reference to railway corporations. The authority is full and complete. The authority in the interstate-commerce act covers the question which the gentleman has asked about, and the authority conferred upon the Interstate Commerce Commissioners is absolutely as full as can be conferred by language.

Mr. THAYER. Why did they not put it in, then, in the same language as the language in the antitrust bill, so that something definite and substantial could be discerned?

Mr. MANN. Well, if the gentleman will notice, the antitrust bill refers to certain provisions in the act to regulate commerce. It never has been the custom of anybody to copy all of these provisions over again. The gentleman laughs and shakes his head. Perhaps he has not read the bill.

Mr. THAYER. O, yes, I have.

Mr. MANN. Perhaps the gentleman has not read the law. If he has read the law, then I suspect that he knows that the question he asks is answered completely by the law. The authority conferred upon the Commissioner by the Nelson amendment is definite and certain. He will possess all the power which Congress has as to making investigations of corporations. The manner and method of exercising that power are now indicated by the interstate-commerce act. The language we have used is plain and unambiguous.

Mr. ROBINSON, of Indiana. Mr. Speaker, may I not ask the gentleman in the interest of fairness to withdraw the statement he made against the Democratic side of the House upon this subject of trust legislation in view of the record of hypocrisy made by the other side in the Fifty-sixth Congress.

Mr. MANN. Well, Mr. Speaker, whenever I withdraw any statement made in reference to my friends on the other side on the basis of the truth of their claim of hypocrisy on this side I hope I may land in a lower and not an upper world. [Laughter.] We all have become used to the argument that is made by gentlemen on the other side, which simply is abuse. I never heard one of you make a speech upon the floor of this House in reference to trust legislation that did not denounce the Republicans as a band of robbers and thieves.

Mr. FLEMING. You have not been in your seat all the time, then.

Mr. MANN. I am glad to except the gentleman from Georgia, who is always fair and courteous in his language; and there are other exceptions, I am glad to say.

But your speakers usually say that the Republicans are a band of robbers and thieves. They say we act at the behest of the trusts. And yet I do not know a gentleman on that side of the aisle who believes it. There is no gentleman on that side who believes gentlemen on this side of the aisle are not actuated by purposes as honest, as noble, as truthful as theirs; and I would not claim that gentlemen on the Democratic side of the House are not earnest and sincere in their work against the trusts. They are now only seeking political capital. We are responsible for what we do; they are not held responsible for what they say. Mr. Speaker, I yield back the balance of my time to the gentleman from Iowa.

Mr. SMITH, of Kentucky. May I ask the gentleman a question before he sits down?

Mr. MANN. Well, if it is a question in reference to the bill, I will take time to answer it; if it is a mere political question—

Mr. SMITH, of Kentucky. I would like to know if the gentleman has ever seen me ask any other question since my service in this House?

Mr. MANN. I think that is true. The gentleman is sincere.

Mr. SMITH, of Kentucky. What I want to know is if the gentleman does not think it would have been better to have required the Commissioner of Corporations to lay his report before Congress rather than before the President; because it is not so

important, as I view the matter, that the President should be enabled to make recommendations as that Congress should be enabled to enact some intelligent effective legislation.

Mr. MANN. I would call the gentleman's attention to the fact that the Commissioner of Corporations is under the Department of Commerce and Labor, which has a Secretary, and the Secretary is required to make an annual report, which of course means that the statement that the Commissioner of Corporations makes in his report to the Secretary would be included as a part of his report.

Mr. SMITH, of Kentucky. In that same connection I apprehend that this provision of the amendment which says it shall lie in the discretion of the President as to what shall be made public of these reports would preclude the Commissioner from laying before Congress what the official report developed in his investigation.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MANN. I wish I had time; I think I could explain that to the gentleman's satisfaction.

Mr. HEPBURN. I yield four minutes to the gentleman from Georgia, a member of the committee.

Mr. ADAMSON. Mr. Speaker, I do not like to appear in antagonism to my distinguished friend on the committee, the gentleman from Alabama, who was one of the managers on the part of the House. However, I do not desire that any vote that I may cast shall be construed into an indication of lack of knowledge that the provision discussed by the gentleman from Alabama, known as the Nelson substitute, is a delusion and a snare, a hollow mockery, thinner than thin air, weaker than water, the meanest sham, the most contemptible fraud and false pretense, because it seeks to deceive constituents who send members here.

But we are put upon notice, at least by the newspapers, which everybody knows are always truthful, that this is the only antitrust measure that the "trust busters" are going to permit to pass at all. I do not propose to go before the country in the attitude of opposing the only antitrust legislation that we are served with notice can be enacted. I shall not oppose the report of the managers on the part of the House on that account. I know the managers on the part of the House have been diligent and patient. I know something of the difficulties they encountered. I accept their report as the best that can be secured under the circumstances, and shall contribute with great pleasure to creating the Department of Commerce and Labor by voting for the adoption of this report. [Applause.]

Mr. HEPBURN. Mr. Speaker, I move the adoption of the conference report, and on that demand the previous question.

Mr. BARTLETT. May I ask the gentleman one question before he demands the previous question?

The SPEAKER pro tempore. Does the gentleman yield?

Mr. HEPBURN. I yield for a question.

Mr. BARTLETT. I desire to ask the gentlemen if this report—and I have read it very carefully—in reference to insurance companies does anything more than to authorize the Commissioner to gather statistics in reference to insurance companies?

Mr. HEPBURN. Nothing in the world, so far as I understand.

Mr. BARTLETT. Then there is nothing in this measure that contravenes the votes of the House on that subject.

Mr. HEPBURN. All I mean to say is this, that it simply authorizes information being secured. Now, Mr. Speaker, I demand the previous question.

Mr. RICHARDSON, of Tennessee. Will the gentleman allow me to ask him a question? I do not want to debate.

Mr. HEPBURN. I prefer not to yield.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. RICHARDSON, of Tennessee. Does the gentleman decline to yield for a question?

Mr. HEPBURN. Yes, sir.

The SPEAKER pro tempore. The gentleman from Iowa asks for the previous question on agreeing to the conference report.

The question was taken; and the previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

Mr. HEPBURN. On that question, Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 252, nays 10, answered "present" 4, not voting 85; as follows:

Yeas: Adams, Adamson, Alexander, Allen of Kentucky, Allen of Maine, Aplin, Bankhead, Barney, Bartholdt, Bartlett, Bates, Beidler, Bell, Bellamy, Billmeyer, Blakeney, Boreing, Boutell, Bowersock, Bowie, Brandegee, Brantley, Breazeale, Brick, Bromwell, Brown, Brownlow, Brundidge, Burgess, Burke of South Dakota, Burkett, Burleigh, Burleson, Burton, Butler of Missouri, Butler of Pennsylvania,

Calderhead, Caldwell, Candler, Cannon, Capron, Cassel, Cassingham, Clark, Clayton, Conner, Coombs, Cooper of Texas, Cooper of Wisconsin, Corliss, Cowherd, Creamer, Cromer, Crumpacker, Currier, Curtis, Cushman, Dalzell, Darragh, Davey of Louisiana, Davidson, Davis of Florida, Deemer, Dick, Dinsmore, Dougherty, Douglas, Dovener, Draper, Eddy, Emerson, Esch, Evans, Feely, Finley, Fitzgerald, Flanagan, Fletcher, Flood, Foerderer, Fordney, Foster of Vermont, Fox, Gaines of Tennessee, Gaines of West Virginia, Gardner of Massachusetts, Gardner of Michigan, Gardner of New Jersey, Gibson, Gilbert, Gill, Gillett of Massachusetts, Glass, Gooch, Gordon, Graff, Graham, Green of Pennsylvania, Greene of Massachusetts, Griffith, Griggs, Grosvenor, Grow, Hamilton, Hanbury, Haugen, Heatwole, Hedge, Hemenway, Henry of Connecticut, Henry of Mississippi, Henry of Texas, Hepburn, Hildebrandt, Hill, Hitt, Hooker, Howard, Hughes, Hull, Irwin, Jackson of Maryland, Jenkins, Johnson, Jones of Washington, Joy, Kahn, Kehoe, Kern, Kleberg, Knapp, Kyle, Lacey, Lamb, Landis, Latimer, Lawrence, Lessler, Lever, Lewis of Georgia, Littauer, Livingston, Lloyd, Long, Lovering, McAndrews, McCleary, McCulloch, McDermott, McLachlan, McLain, McRae, Maddox, Mahon, Mann, Marshall, Martin, Metcalf, Mickey, Miller, Minor, Mondell, Moody, Moon, Morgan, Morrell, Morris, Mudd, Mutchler, Needham, Norton, Olmsted, Otjen, Overstreet, Padgett, Palmer, Parker, Patterson of Pennsylvania, Patterson of Tennessee, Payne, Pearre, Perkins, Pou, Powers of Maine, Powers of Massachusetts, Randall of Texas, Reeder, Reeves, Rhea, Richardson of Alabama, Richardson of Tennessee, Rixey, Robb, Roberts, Robinson of Indiana, Rucker, Russell, Ryan, Schirm, Scott, Shallenberger, Shattuc, Shelden, Sheppard, Sherman, Showalter, Sibley, Sims, Skiles, Slayden, Smith of Illinois, Smith of Iowa, Smith of Kentucky, H. C. Smith, Snodgrass, Snock, Southard, Sperry, Spight, Stark, Steele, Stephens of Texas, Stevens of Minnesota, Stewart of New Jersey, Stewart of New York, Storm, Sulloway, Sulzer, Talbert, Tate, Tawney, Tayler of Ohio, Taylor of Alabama, Thayer, Thomas of Iowa, Thompson, Underwood, Van Voorhis, Wanger, Warner, Warnock, Watson, Weeks, Wheeler, White, Wiley, Williams of Illinois, Williams of Mississippi, Woods, Wright, Young, and Zenor.

Nays: Ball of Texas, De Armond, Fleming, Lester, Little, Littlefield, Reid, Robertson of Louisiana, Shackleford, and Vandiver.

Answered "present:" Dayton, Haskins, Hopkins, and McClellan.

Not voting: Acheson, Babcock, Ball of Delaware, Belmont, Benton, Bingham, Bishop, Blackburn, Bristow, Broussard, Bull, Burk of Pennsylvania, Burnett, Cochran, Connell, Conry, Cooney, Cousins, Gillet, Dahle, Driscoll, Dwight, Edwards, Elliott, Foss, Foster of Illinois, Fowler, Gillet of New York, Glenn, Goldfogle, Hay, Holliday, Howell, Jack, Jackson of Kansas, Jett, Jones of Virginia, Ketcham, Claude Kitchin, William W. Kitchin, Kluttz, Knox, Lassiter, Lewis of Pennsylvania, Lindsay, Loud, Loudenslager, McCall, Mahoney, Maynard, Mercer, Meyer of Louisiana, Miers of Indiana, Moss, Napfen, Neville, Nevin, Newlands, Pierce, Prince, Pugsley, Ransdell of Louisiana, Robinson of Nebraska, Ruppert, Scarborough, Selby, Shafroth, Small, S. W. Smith, Wm. Alden Smith, Southwick, Sparkman, Sutherland, Swann, Swanson, Thomas of North Carolina, Tirrell, Tompkins of New York, Tompkins of Ohio, Trimble, Vreeland, Wachter, Wadsworth, Wilson, and Wooten.

So the conference report was agreed to.

The following pairs were announced:

For the session:

Mr. Dayton with Mr. Meyer, of Louisiana.

Mr. McCall with Mr. McClellan.

Until further notice:

Mr. Tirrell with Mr. Conry.

Mr. Driscoll with Mr. Scarborough.

Mr. Ball, of Delaware, with Mr. Ransdell, of Louisiana.

Mr. Bingham with Mr. Elliott.

Mr. Hopkins with Mr. Swanson.

Mr. Jack with Mr. Robinson, of Nebraska.

Mr. Haskins with Mr. Fox.

Mr. Vreeland with Mr. Wilson.

For one week:

Mr. Acheson with Mr. Sparkman.

For the day:

Mr. Samuel W. Smith with Mr. Kluttz.

Mr. Connell with Mr. Shafroth.

Mr. Gillet, of New York, with Mr. Jett.

Mr. William Alden Smith with Mr. Belmont.

Mr. Mercer with Mr. Newlands.

Mr. Cousins with Mr. Hay.

Mr. Southwick with Mr. Ruppert.
 Mr. Tompkins, of New York, with Mr. Lindsay.
 Mr. Tompkins, of Ohio, with Mr. Edwards.
 Mr. Sutherland with Mr. Pugsley.
 Mr. Moss with Mr. Neville.
 Mr. Nevin with Mr. Mahoney.
 Mr. Wadsworth with Mr. Jackson, of Kansas.
 Mr. Prince with Mr. Jones, of Virginia.
 Mr. Loudenslager with Mr. Napfen.
 Mr. Lewis, of Pennsylvania, with Mr. Glenn.
 Mr. Knox with Mr. Claude Kitchin.
 Mr. Ketcham with Mr. William W. Kitchin.
 Mr. Howell with Mr. Goldfogle.
 Mr. Foss with Mr. Foster, of Illinois.
 Mr. Dahle with Mr. Cooney.
 Mr. Bull with Mr. Crowley.
 Mr. Wachter with Mr. Wooten.
 Mr. Bishop with Mr. Maynard.
 Mr. Blackburn with Mr. Cochran.
 Mr. Babcock with Mr. Pierce.
 Mr. Burk, of Pennsylvania, with Mr. Burnett.
 Mr. Miller with Mr. Small.

For the vote:

Mr. Loud with Mr. Trimble.
 Mr. Holliday with Mr. Broussard.
 Mr. Fowler with Mr. Benton.
 Mr. Bristow with Mr. Miers, of Indiana.
 Mr. Dwight with Mr. Thomas, of North Carolina.

The result of the vote was then announced as above recorded.

On motion of Mr. Hepburn, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

On February 11, 1903, Senator Hanna called up the conference report on S. 569, and it was agreed to by the Senate. On February 13, 1903, the Speaker announced his signature to enrolled bill S. 569; a message from the House announced this fact to the Senate; the bill was thereupon signed by the President pro tempore of the Senate. The following day, February 14, 1903, a message from the President of the United States, by one of his secretaries, announced that he had approved and signed the act (S. 569) to establish the Department of Commerce and Labor.

[The form in which Senate No. 569 became a law is given on page 25 et seq. of this volume.]